

Title 27 Unified Program Administrative Cleanup Regulations Informative Digest

AUTHORITY AND REFERENCE

The Secretary of Cal/EPA makes these amendments under the authority granted by Health and Safety Code section 25404, subdivisions (b), (c), (d), and (e); section 25404.6, subdivision (c); and section 25531.2; and Government Code section 16.5 (c). These sections require the Secretary to adopt regulations that would implement, interpret or make specific Health and Safety Code chapter 6.11 for the Unified Program.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Law

Chapter 6.11, division 20, of the Health and Safety Code section 25404 et seq. created the Unified Hazardous Waste and Hazardous Materials Management Regulation Program (Unified Program). The regulations to implement this program are located in title 27 of the California Code of Regulations. The Unified Program is a merger of the administration of the six previously existing programs specified in Health and Safety Code section 25404 (c) and in section 15100 et seq of title 27 of the California Code of Regulations. The six program elements and related laws are:

1. Hazardous Materials Release Response Plans and Inventory – Health and Safety Code division 20, article 1, section 15500 et seq); and title 19 of the of the California Code of Regulations, sections 2620 – 2734, also known as the ‘right-to-know’ or ‘hazardous materials inventory’ programs.
2. California Accident Prevention (CalARP) Program – Health and Safety Code division 20, article 2, section 15531 et seq; and title 19 of the California Code of Regulations, sections 2735.1 – 2785.1.
3. Underground Tank Program – Health and Safety Code division 20, chapter 6.7, section 25280 et seq; and title 23 of the California Code of Regulations, section 2620 et seq.
4. Aboveground Storage Tank Program – Health and Safety Code division 20, chapter 6.67, section 25270.5 (c); and by reference federal regulations in part 112 of title 40 of the Code of Federal Regulations.
5. Hazardous Waste Generator Program and Hazardous Waste Onsite Treatment activities – Health and Safety Code division 20, chapter 6.5; and title 22 of the California Code of Regulations, division 4.5.
6. Hazardous Materials Management Plan and Hazardous Materials Inventory Statement requirements – California Fire Code title 24, part 9, sections 8001.3.2 and 8001.3.3.

Policy Statement Overview

No new provisions are implemented in these regulations. The initial and follow-on regulations implemented the legislative mandate contained in Health and Safety Code division 20, chapter 6.11 (§ 25404 et seq).

Proposed Regulations

These proposed regulations are administrative in nature and do not impose any new reporting requirements. These amendments change the format from question headings to statement headings, move text to improve the organizational structure, remove duplicities, clarify existing language, and modify for consistency with the *California Style Manual*.

California Environmental Quality Act (CEQA) Compliance

Cal/EPA has found this rulemaking is not subject to CEQA because it is a ministerial project. A memo that documents this decision is found in Cal/EPA's official regulatory file located at 1001 "I" Street, Sacramento, California.

FISCAL IMPACT ESTIMATES

Mandates on Local Agencies and School Districts: Cal/EPA has made a preliminary determination that adoption of these regulations will create no new local mandates.

Estimate of Potential Cost or Savings to Local Agencies Subject to Reimbursement: Cal/EPA has made a preliminary determination that adoption of these regulations will not impose a local mandate or result in costs subject to reimbursement pursuant to Government Code part 7, division 4, section 17500 et seq, or other non-discretionary costs to local agencies.

Cost or Savings to Any State Agency: Cal/EPA has made a preliminary determination that the proposed regulations will have no net impact on state revenue or costs.

Cost or Savings in Federal Funding to the State: Cal/EPA has made a preliminary determination that the proposed regulations will have no impact on federal revenue or costs.